

**WOOD, HERRON & EVANS, L.L.P.**

JOHN D. POFFENBERGER  
 BRUCE TITTEL  
 DONALD F. FREI  
 DAVID J. JOSEPHIC  
 DAVID S. STALLARD  
 J. ROBERT CHAMBERS  
 GREGORY J. LUNN  
 KURT L. GROSSMAN  
 CLEMENT H. LUKE, JR.  
 THOMAS J. BURGER  
 GREGORY F. AHRENS  
 WAYNE L. JACOBS  
 KURT A. SUMME  
 KEVIN G. ROONEY  
 KEITH R. HAUPT  
 THEODORE R. REMAKLUS  
 THOMAS W. HUMPHREY  
 SCOTT A. STINEBRUNER  
 DAVID H. BRINKMAN

OF COUNSEL  
 THOMAS W. FLYNN

2700 CAREW TOWER

441 VINE STREET

CINCINNATI, OHIO 45202-2917

TELEPHONE: 513-241-2324

FACSIMILE: 513-421-7269

EMAIL: info@whpatent.com

PATENT, TRADEMARK, COPYRIGHT  
 AND UNFAIR COMPETITION LAW  
 AND RELATED LITIGATION

EDMUND P. WOOD 1923-1988  
 TRUMAN A. HERRON 1936-1976  
 EDWARD B. EVANS 1936-1977

JOSEPH R. JORDAN  
 C. RICHARD EBY  
 DAVID E. PRITCHARD

J. DWIGHT POFFENBERGER, JR.  
 BEVERLY A. LYMAN, PH.D.  
 KATHRYN E. SMITH  
 KRISTIL L. DAVIDSON  
 P. ANDREW BLATT, PH.D.  
 DAVID E. JEFFERIES  
 WILLIAM R. ALLEN, PH.D.  
 JOHN PAUL DAVIS  
 DOUGLAS A. SCHOLER  
 BRETT A. SCHATZ  
 DAVID W. DORTON  
 G. PRABHAKAR REDDY  
 SARAH OTTE GRABER  
 LARRY D. MOORE

WESLEY L. STRICKLAND (VA. DC BAR ONLY)

TECHNICAL ADVISORS  
 HENRY M. LABODA, PH.D.

July 14, 2003

**FACSIMILE COVER SHEET**

To: Technology Center 2800  
 Examiner Burton S. Mullins

From: Kristi L. Davidson 

Fax: (703) 872-9318

Re: Our File: DP-302291 (DELP-06)  
 Serial No. 09/970,105

Pages: 28 (including cover sheet)

**MESSAGE/COMMENTS**

Attached herewith is the formal Response to Office  
 Action submitted for the above-identified application.

**PLEASE DELIVER IMMEDIATELY TO  
 EXAMINER BURTON S. MULLINS**

Enclosures: Cover Sheet ( 1 pg.)  
 Amendment Transmittal (2 pgs.)  
 Response to Office Action (25 pgs.)

**FAX RECEIVED**

JUL 14 2003

TECHNOLOGY CENTER 2800

The information in this facsimile message is ATTORNEY-CLIENT PRIVILEGED, WORK PRODUCT and/or CONFIDENTIAL INFORMATION intended only for the use of the individual or entity to whom this message is addressed. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or reproduction of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via mail. Thank you. If transmission is interrupted or of poor quality, please notify us immediately by calling (513) 241-2324 and ask for the sender's assistant. OUR FAX NUMBER IS (513) 421-7269.

## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Reiter, Jr., et al. Examiner: Burton S. Mullins  
 Serial No.: 09/970,105 Group No.: 2834  
 Filed: October 3, 2001  
 For: MANUFACTURING METHOD AND COMPOSITE POWDER METAL  
 ROTOR ASSEMBLY FOR CIRCUMFERENTIAL TYPE INTERIOR  
 PERMANENT MAGNET MACHINE

Attorney Docket: DP-302291 (DELP-06)

Confirmation No.: 1404

COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

FAX RECEIVED

1. Transmitted herewith is an amendment for this application.

2. ☐ Small Entity status is claimed.

☒ Other Than a Small Entity.

3. The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	SMALL ENTITY		LARGE ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Additional Fee	Rate	Additional Fee
TOTAL *	60	MINUS **	70	0	x 9	\$ 0.00	x 18	\$ 0.00
INDEP. *	7	MINUS ***	6	1	x 42	\$ 0.00	x 84	\$ 84.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+140		+280	
					TOTAL FEE	\$ 0.00	TOTAL FEE	\$ 84.00

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest No. Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest No. Previously Paid for" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

☐ No additional fee for claims is required.

4. ☐ Attached is a check in the sum of \$\_\_\_\_\_.

☒ Please charge my Deposit Account No. 23-3000 in the amount of \$ 84.00.

5. The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

Complete (a) or (b) as applicable.

(a) \_\_\_\_\_ Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
_____ one month	\$ 110.00	\$ 55.00
_____ two months	\$ 410.00	\$ 205.00
_____ three months	\$ 930.00	\$ 465.00
_____ four months	\$1,450.00	\$ 725.00
_____ five months	\$1,970.00	\$ 985.00

TAX RECEIVED

JUL 14 2003

TECHNOLOGY CENTER 2800

\_\_\_\_\_ Attached is a check in the amount of \$ \_\_\_\_\_ for the \_\_\_\_\_ month extension fee as required by 37 C.F.R. § 1.17(c).

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

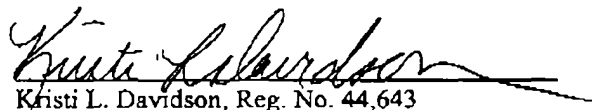
\_\_\_\_\_ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$ \_\_\_\_\_.

OR

(b) X Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition for extension of time.

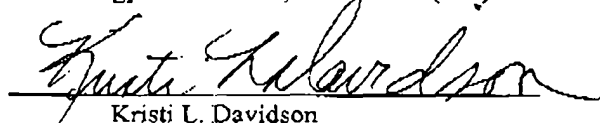
X If any additional fee for claims or extension of time is required, charge Acct. No. 23-3000.

2700 Carew Tower  
441 Vinc Street  
Cincinnati, Ohio 45202  
(513) 241-2324 (voice)  
(513) 421-7269 (fax)

  
Kristi L. Davidson, Reg. No. 44,643

# **CERTIFICATE OF FACSIMILE**

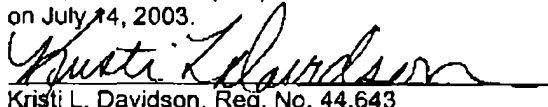
I hereby certify that this correspondence for Application No. 09/970,105 is being facsimile transmitted to Technology Center 2800, fax number (703) 872-9318 on July 14, 2003.

  
Kristi L. Davidson

7/14/03  
Date:ADELMOS/andk  
transmitel.wpd

**CERTIFICATE OF FACSIMILE**

I hereby certify that this correspondence for Application No. 09/970,105 is being facsimile transmitted to Technology Center 2800, fax number (703) 872-9318 on July 14, 2003.

  
Kristi L. Davidson, Reg. No. 44,643

Date

7/14/03

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.: 09/970,105  
Filed: October 3, 2001  
Group Art Unit: 2834  
Examiner: Burton S. Mullins  
Applicants: Reiter, Jr., et al.  
Title: MANUFACTURING METHOD AND COMPOSITE POWDER  
METAL ROTOR ASSEMBLY FOR CIRCUMFERENTIAL TYPE  
INTERIOR PERMANENT MAGNET MACHINE  
Attorney Docket: DP-302291 (DELP-06)  
Confirmation No.: 1404

Cincinnati, Ohio 45202

July 14, 2003

FAX RECEIVED

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

JUL 14 2003

TECHNOLOGY CENTER 2800

Sir:

**RESPONSE TO OFFICE ACTION**

This paper is responsive to the Office Action mailed April 14, 2003. The Examiner has indicated that claims 1-70 are pending in the application, claims 45-70 are withdrawn from consideration, claims 1-13, 15-28 and 31-44 are rejected, and claims 14, 29 and 30 are objected to. The following amendments and remarks are respectfully submitted.